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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,273	10/23/2003	Pekka Lonka	297-008681-US (REI)	7703

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PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

2617

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,273	LONKA, PEKKA	
	Examiner	Art Unit	
	DANH C. LE	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-32 is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 6-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobsen (US 6,073,034) in view of Matsumoto (US 6,943,839).

As to claim 1, Jacobsen teaches a mobile communications device (figure 8A, 8B, 9A, 9B) with a camera (col.12, lines 38-46), comprising a microphone, a loudspeaker, a display, keypad proper, and a camera, and the mobile communications device comprises at least two parts covering each other alternatively completely in the transport position of the camera or partly in the operational position of the camera so that when the parts cover each other in the transport position of the camera the lens (238) of the camera is protected, and in the operational position of the camera the lens (238) of the camera is exposed, characterized in that an image can be projected through the lens (238) of the camera and the display (224) serves as a viewfinder for the camera by displaying the through the lens projected image to the user of the device and the lens (238) of the camera is placed in the device essentially on a different side than the display (224).

Jacobsen fails to teach lens of the camera is placed on an opposite side than the display. Matsumoto teaches lens of the camera is placed on an opposite side than the

display (figures 24B, 25A). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Matsumoto into the system of Jacobsen in order to allow the user to verify image by direct viewing the image.

As to claim 2, Jacobsen teaches the mobile communications device of claim 1, characterized in that the device also comprises function keys and the device can be used for telephone calls by means of the microphone, the loudspeaker, the display and the function keys even when the lens of the camera is covered (figure 8A-B, 9A-B).

As to claim 3, Jacobsen teaches the mobile communications device of claim 1, characterized in that the parts covering each other partly or completely move by sliding with respect to each other (figure 8A-B, 9A, 9B).

As to claim 4, Jacobsen teaches the mobile communications device of claim 1, characterized in that the part (2) including the keypad (9) proper of the mobile communications device has in it a shaped grip (12) to make it easier to hold the mobile communications device in hand when used for taking photographs (figure 8A-B, 9A-B).

As to claim 6, Jacobsen teaches the mobile communications device of claim 1, characterized in that the battery of the mobile communications device is located in that part of the mobile communications device which includes the keypad proper in order to place the center of gravity as low as possible to make photographing easier in vertical position (figure 8A-B, 9A-B).

As to claim 7, Jacobsen teaches the mobile communications device of claim 1, characterized in that pictures are being stored in the memory (21) of the mobile

communications device and the pictures are used in the mobile communications device in a telephone directory (col.2, lines 26-52).

As to claim 8, Jacobsen teaches a mobile communication device with a camera, said communication device comprising a first part and a second part connected to each other, further comprising a protectable camera lens for the camera, said protectable camera lens located on one of said first part and said second part, and a display located essentially on a different side of one of said parts as the protectable camera lens (figure 8A-B, 9A-B).

Jacobsen fails to teach lens of the camera is placed on an opposite side than the display. Matsumoto teaches lens of the camera is placed on an opposite side than the display (figures 24B, 25A). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Matsumoto into the system of Jacobsen in order to allow the user to verify image by direct viewing the image.

As to claim 9, Jacobsen teaches a mobile communication device according to the claim 8, wherein said protectable camera lens and said display are on the same part of said first and said second parts (figure 8A-B, 9A-B).

As to claim 10, Jacobsen teaches a mobile communications device according to claim 8, wherein said first and said second parts are arranged into mutual connection so for forming a transport position and an operation position for the camera lens (figure 8A-B, 9A-B).

As to claim 11, Jacobsen teaches a mobile communications device according to claim 10, wherein said first part and said second part are adjacent to each other in one of said transport position and said operation position (figure 8A-B, 9A-B).

As to claim 12, Jacobsen teaches a mobile communications device according to the claim 10, wherein the protectable camera lens is protected in the transport position (figure 8A-B, 9A-B).

As to claim 13, Jacobsen teaches a mobile communications device according to the claim 10, wherein the protectable camera lens is exposed in the operation position (figure 8A-B, 9A-B).

As to claim 14, Jacobsen teaches a mobile communications device according to claim 8, wherein said first and said second parts are arranged slidably connected to each other (figure 13J, 13K).

As to claim 15, Jacobsen teaches a mobile communications device according to the claim 8, wherein said display is arranged to operate as a viewfinder for the camera lens (figure 10A, 10B).

2. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Jacobsen and Matsumoto in view of Kim (6,278,884).

As to claim 5, Jacobsen and Matsumoto teaches a mobile communications device of claim 1, characterized in that a image is generated and transmitted to the remote locations in accordance with the operating mode of the mobile communications device. Jacobsen and Matsumoto fails to teach a photograph is taken by pressing a button function. Kim teaches a photograph is taken by pressing a button function

(col.3, lines 52-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Kim into the system of Jacobsen and Matsumoto in order to send the images to the remote central office as Kim suggested.

Response to Arguments

3. Applicant's arguments with respect to claim 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

4. Claims 16-28 are allowed as stated in the applicant's remarks on pages 7-9.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2617

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "danh", with a horizontal line extending to the left and a diagonal line extending upwards and to the right.

July 25, 2006

DANH CONG LE
PRIMARY EXAMINER